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GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LABOR & ECONOMIC GROWTH  
LANSING

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## STATE BOUNDARY COMMISSION

### LEGAL SUFFICIENCY CHECKLIST (Based on State Boundary Commission Rules 25, 26 and 27)

#### **PART I** (Perimeter map or drawing)

- shall **clearly identify graphically the territory** proposed to be incorporated, consolidated or annexed;
- shall be of **sufficient scale and clarity**;
- minimum size: 8 1/2" x 13"; maximum size: 14" x 18"**;
- shall be **substantially accurate and consistent with the legal description** [PART III] of the territory proposed to be incorporated, consolidated or annexed;
- shall be **unambiguous to a layperson** regarding:
  - (a) **inclusion or exclusion** of his/her own property;
  - (b) **identifiable roads**;
  - (c) **section lines**;
  - (d) **existing local government boundaries**;
  - (e) **major geographic features**.

#### **PART III**

- shall **clearly identify by an accurate written description** the boundaries of the territory proposed to be incorporated, consolidated or annexed;
- shall be **substantially accurate and consistent with the perimeter map or drawing** [PART I] of territory proposed to be incorporated, consolidated or annexed.

## **PARTS II through VI**

--shall be prepared on forms furnished by the Commission [or an accurate facsimile of current forms];

--Petition forms are available either by contacting the State Boundary Commission Office or on the web at: [http://www.michigan.gov/documents/cis\\_opla\\_checklis\\_35833\\_7.pdf](http://www.michigan.gov/documents/cis_opla_checklis_35833_7.pdf).

## **PART VII** (Map)

--shall clearly identify the relationship of the area proposed for incorporation, consolidation or annexation to the balance of the involved and adjacent units of government;

--may be of any size petitioner chooses;

--this map is not a factor in determining legal sufficiency of petition.

## **ANNEXATION PETITIONS**

*BY FIRM, CORPORATION OR OTHER FORMAL ORGANIZATION*

Include copies of **documents necessary to show petitioner was authorized to file**, such as:

- resolutions;
- meeting minutes;
- correspondence;
- transmittal letters.

Document the following:

- officer or other agent was **authorized** to initiate a petition on behalf of an organization;
- governing body of the **organization was fully informed**;
- governing body **approved** the annexation petition.

## ANNEXATION RESOLUTION BY CITY

Include copies of **documents necessary to show petitioner was authorized to file**, such as:

- resolutions;
- meeting minutes;
- correspondence;
- transmittal letters.

Document the following:

- officer or other agent was **authorized** to initiate a petition on behalf of city;
- governing body of the **city was fully informed**;
- governing body **approved** the annexation resolution.

## ANNEXATION RESOLUTION INITIATED BY CITY PLANNING COMMISSION OR A BOARD OR COMMISSION OTHER THAN THE CITY COUNCIL

Include copies of **documents necessary to show petitioner was authorized to file**, such as:

- resolutions;
- meeting minutes;
- correspondence;
- transmittal letters.

Document the following:

- officer or other agent was **authorized** to initiate a petition on behalf of board or commission city;
- governing body of the **board or commission was fully informed**;
- governing body **approved** the annexation resolution;
- **city council was fully informed**;
- **city council approved the annexation resolution**.

## **CONSOLIDATION PETITIONS**

(Per State Boundary Commission Act, MCL 123.1012)

### **PETITION SIGNERS:**

- a. Each signer must be a registered elector in one of the affected municipalities.
- b. Signatures may be collected in 1 or more of the affected municipalities.
- c. Signatures must equal at least 5% of the total population of the affected municipalities.

### **MUNICIPALITIES THAT MAY CONSOLIDATE:**

- a. Combinations of cities, villages and townships.
- b. At least one of the municipalities in any consolidation must be an incorporated city.
- c. No township may be consolidated with other municipalities unless every village incorporated within its territorial boundaries is included in the consolidation.

### **TWO YEAR MORATORIUM:**

The Commission must reject a consolidation petition if consolidation of the identical municipalities has been voted on within the 2 years immediately preceding the filing of the later petition, unless the prior petition included 1 or more municipalities that are not included in the later petition.

### **SUFFICIENCY REVIEW & PROCESS:**

Process as a petition proposing to incorporate a new city.

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## **NOTE**

If recorded documents are **referenced** in documents that are part of any petition or resolution **but not included** in the petition,

then Commission staff may request copies,  
prior to the commission's meeting on legal sufficiency,  
in order to determine the accuracy of the petition, map/drawing or legal description.

Upon filing, petitions will stand or fall on content (except as noted above).

No modifications, corrections, deletions, or additions are permitted after filing.